R E P O R T R E S U M E S

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EVENTS AT ORANGEBURG, A REPORT BASED ON STUDY AND INTERVIEWS IN ORANGEBURG, SOUTH CAROLINA, IN THE AFTERMATH OF TRAGEDY.

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THIS REPORT ON THE RACIAL CONFLICT IN ORANGEBURG, SOUTH CAROLINA, ATTEMPTS TO PRESENT A "CAREFUL AND IMPARTIAL" ANALYSIS OF THE SITUATION, BASED ON INTERVIEWS WITH STUDENTS AND FACULTY, NEWSMEN, TOWNSPEOPLE, AND OFFICIALS. THE VIOLENCE IN THIS SMALL NEGRO COLLEGE TOWN BROKE OUT OVERTLY OVER THE ISSUE OF A SEGREGATED BOWLING ALLEY BUT IN FACT, WAS DEEPLY ROOTED IN ALL THE FACETS OF SOUTHERN RACIAL DISCRIMINATION. THE REPORT PRESENTS A CHRONOLOGY OF EVENTS BEGINNING WITH THE EFFORTS OF A GROUP OF NEGRO STUDENTS TO VISIT THE BOWLING ALLEY AND THE RESPONSE BY LOCAL AND STATE POLICE, AND CONTINUES WITH A DAY-BY-DAY DESCRIPTION OF THE BUILD-UP OF TENSION UNTIL THE CULMINATING TRAGEDY OF THE DEATH OF THREE STUDENTS. THE INVOLVEMENT OF CIVIL RIGHTS GROUPS, STATE BODIES, THE U.S. JUSTICE DEPARTMENT, AND THE STATE ADVISORY COMMITTEE TO THE U.S. COMMISSION ON CIVIL RIGHTS ARE DESCRIBED. ALSO DISCUSSED ARE THE MAJOR ISSUES AT THE CORE OF THE EVENTS--THE EDUCATIONAL QUALITY OF STATE-SUPPORTED NEGRO COLLEGES, THE PAST AND PRESENT STATUS OF RACE RELATIONS IN THE TOWN, AND THE EXTENT AND MEANING OF THE INFLUENCE OF BLACK POWER. THE BROADER NATIONAL IMPLICATIONS OF POLICE ACTION, LAW ENFORCEMENT, BLACK POWER, AND STUDENT REVOLT ARE OUTLINED IN RELATION TO THE PROTOTYPAL SITUATION IN ORANGEBURG. THIS DOCUMENT IS ALSO AVAILABLE FOR 30 CENTS FROM THE SOUTHERN REGIONAL COUNCIL, 5 FORSYTH STREET, N.W., ATLANTA 3, GEORGIA. (NH)

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U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
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E V E N T S A T O R A N G E B U R G

INTRODUCTION

The events of the tragic week of February 5-10, 1968, in the small (population, 13,852) Negro college city of Orangeburg, South Carolina, tell a story in microcosm of years of racial struggle in the southern pattern in that one locale, centering overtly on segregation of a bowling alley, but involving deeper down such public problems as poverty, racial animosity, discrimination, and educational deprivation. The events also would at least suggest the implications of forces in motion not just in Orangeburg but across America in 1967-68, including black power and white over-reaction to its emotional mood, the tendency to violence by Negroes dismayed by the failure of nonviolent and other peaceful protest against social injustice and inequity still enduring, the national tendency nearing public policy to a fear of riots amounting to phobia and a response to Negro unrest with massive police and military force. The events also point to the emergence, in the South at least, of the Negro college with its legacy of discrimination, educational deprivation, and lack of academic freedom as a setting for the meeting of these dangerous and explosive tendencies.

In Orangeburg, the result was tragedy -- the death of three students and wounding of 28 others, the death of whatever true and whatever false was contained in a South Carolina

image of nonviolent settlement of ancient racial animosities, and the death of one knows not what amount more of hope in the hearts of white and Negro Americans alike for the achievement of racial justice and peace.

The following report, based on interviews with students and faculty of South Carolina State College and Claflin College, with newsmen, and with townspeople and officials, and based on press and other data about Orangeburg past and present, is submitted in the hope that a careful and impartial reading of the surface facts and underlying complexities in this one specific situation might provide insights into preventing its tragic pattern being repeated in a coming spring and summer of unprecedented national racial tension.

E V E N T S A T O R A N G E B U R G: I.

MONDAY THROUGH WEDNESDAY

On Monday night, February 5, a group of Negro students from South Carolina State College and Claflin College in Orangeburg visited the All-Star Bowling Lanes, the only bowling alley in town, in a shopping center just east of the downtown business section, and about three blocks from the two campuses. (South Carolina State, the only state-supported predominantly Negro college in the state with 1,854 students, and Claflin College, also predominantly Negro, a private, church-related institution with 818 students, are located side by side on Watson Street.)

In the background of the visit to the bowling alley was Negro resentment of its segregated status, the resentment dating back at least to 1963 and 1964 when massive demonstrations protested and the Civil Rights Law ended for the most part segregation of public accommodations in the city. Negotiations since then on the local level (and efforts to involve the national government) to desegregate the bowling alley had all failed. The students seeking service that Monday night included some members and/or followers of a small State College organization called the Black Awareness Coordinating Committee, variously described as black power oriented or devoted to black culture. Harry L. Floyd, proprietor of the bowling alley, refused service to the

Negroes and asked them to leave. He had contended that the bowling alley was a private club and that lanes every night were contracted for by members of bowling leagues.

When the students refused to leave, according to the local newspaper, the Times and Democrat, he went out to obtain warrants for their arrest on trespassing charges. While he was gone, Orangeburg Chief of Police Roger E. Poston cleared the bowling alley of all persons and closed it for the night. On Tuesday morning, Mr. Floyd protested this action to the City Council and asked for city police protection and arrests of Negroes should they return Tuesday night, saying also he had conferred with state police officials. Chief Poston was quoted as telling Mr. Floyd anent Monday night, "I am not going to ask my men to violate the law in interfering with those who are not breaking the law by being in your place." The Times and Democrat carried no story in its Tuesday edition about the Monday night confrontation at the bowling alley, but later in the week began referring to rock-throwing by students that night. Persons interviewed on campus and off, however, were adamant: no rock-throwing occurred Monday night.

On Tuesday night, February 6, local police were present when a group of students appeared again at the bowling alley seeking service. It was not clear whether state police were on hand at this time, about 7 p. m. The door of the bowling alley was locked to the students. When Chief of Police Poston arrived on the scene, the door was opened to him, and some 25

students rushed the door, gaining entrance. They were asked to leave; some did. Fifteen who refused were arrested on trespassing charges, and taken to jail.

Word of the arrests quickly spread across the two campuses and by 7:45 p. m., a crowd of approximately 300 students gathered in the shopping center parking lot. By this time, state police, members of the State Highway Patrol, and the State Law Enforcement Division (SLED), along with city police and, either then or subsequently, sheriff's deputies, were on hand. The students apparently had no organized protest strategy; they were, as one faculty member who was there described it, an unstructured group milling around. A mark of their emotional distance from the extreme alienation and cynicism of northern ghettos was the fact that they were singing freedom songs, reminiscent of the naive spirit of the early 1960's Negro movement in the South.

Alarmed at the potential danger of their presence in the parking lot, city officials, including the chief of police, decided to release the fifteen Negroes who had been arrested on the promise that they would urge the students in the parking lot to go back to the campus. They arrived at the parking lot to big cheers, and kept their part of the bargain but saying, with their urgings to go home that night, that they had made no promises about the following night. According to sympathetic witnesses, at this point students were in a jovial mood, a sense of victory in the air, and were slowly dispersing. But at this moment also, for reasons not clear, a city fire

engine pulled into the parking lot, and because perhaps of a memory which would date back to grade school for most of the students of the use of fire hoses by the city of Orangeburg on nonviolent sit-in demonstrators in 1960, there was a return of anger, and a return by most of the crowd to the parking lot, to surround the fire engine. Still, at this point, there had been no violence. The truck was ordered out of the lot, but the students, newly agitated, moved now to the bowling alley, swarming about its glass front. Police from 15 or 20 cars in the parking lot closed in behind them. Someone kicked in a glass panel of the bowling alley door. Police seized a student presumed to have done the kicking, grabbing and jerking him roughly. The other students pressed close, refusing to clear a path for police with the arrested student. Police shouted at them; they shouted back, such violence of language common in 1968 to both races, previously only to the whites. Police pushed at the crowd and then, city and state police alike, they began beating back the crowd with billy clubs. The crowd broke, students, shouting of police brutality, fleeing. More than one witness told of a young woman held by one policeman, hit with a billy club by a second, also of a young woman begging not to be hit again, even as a policeman swung his club. The brief melee sent eight students and one policeman to the hospital. Four of the students were kept overnight for observation of head lacerations. Only the one student was arrested. From responsible reports, students did not

fight back. The local radio station alleged a student had attacked police with a lead pipe; Chief of Police Poston later was quoted as saying a young woman had squirted hair spray at one policeman.

The students from both colleges poured back onto the State College campus. In this retreat, students -- availing themselves of an ample supply of bricks from a partially demolished building -- broke windows in white businesses along the way. The Times and Democrat listed four businesses reporting such damage, including an automobile agency where it said cars were damaged also.

M. Maceo Nance, Jr., acting president of State College, was quoted in the Columbia State as saying the next day to a city official: "I do not condone destruction of property, but for the record, it happened after the young ladies were hit." When the students got back to the campuses (some time after 9 p. m.), an impromptu mass meeting began in one of the college buildings. Among speakers was Cleveland Sellers, a 23-year-old native of nearby Denmark, South Carolina, former leader of southern nonviolent demonstrations and voter registration efforts of the Student Nonviolent Coordinating Committee. Apparently still a part of the dwindled SNCC organization but also apparently acting on his own, Mr. Sellers had moved into a house across the street from the two campuses in the fall of 1967, some said on the presumption (later proved wrong) that his wife would enroll

at South Carolina State. Frequently on campus, Mr. Sellers had been an advisor to, if not instrumental in, organization of the BACC. A soft-spoken man, he said at the mass meeting he could not tell students what to do, but would offer suggestions if requested. Other speakers, including Robert Scott, president of the State student body, and George Campbell, president of the State College NAACP branch, strongly asserted the need for a further show of student indignation, but eventually urged waiting until morning when a permit for a protest march might be obtained from the city. Asked for his suggestions, Mr. Sellers urged students to go back out that night and block with their bodies key intersections in the city, with a demand that Chamber of Commerce officials come immediately to confer about the bowling alley. This essentially nonviolent mode of action was, according to all witnesses, the extent of recommendation from Mr. Sellers, who was later to be lambasted in the South Carolina press and by the governor as the prime fomenter of black power violence in the situation. Students at the mass meeting meanwhile not impractically asked what strategy they might follow to keep from getting beaten by police again. Finally, the plan to seek a city permit to march the next day was adopted, and two Negro attorneys advised the students on their legal rights of protest. The students agreed to meet at nine o'clock the next morning.

The attempt to obtain the permit to march began at about eleven Tuesday night, resumed at about seven Wednesday

morning, finally succeeded about 8:30. A meeting was held with the mayor, the chief of police, and City Manager Robert T. Stevenson, who were urged to allow the march even if it meant seeking federal troops to keep order. They countered with a proposal that the mayor and city manager and heads of the Chamber of Commerce and Merchants' Association appear before the students and attempt to answer grievances. This unprecedented gesture was accepted.

The effect of the appearance on students was described as devastating. One who was there said it reflected glaringly both the inappropriateness of the white dignitaries' approach to the serious mood of the students, and the students' distrust of the dignitaries. When the mayor tried to say with southern effusiveness that he was glad to be there, he was hooted. When he said the city believed in good race relations, he was hooted even louder. An assertion by the city manager that the city had not made a lot of progress in race relations, but had made some, met the same response. Only the Chamber president seemed to impress the students. He agreed to read at the next meeting of his organization a list of grievances the students had drawn up hastily the night before.

State College President Nance, sharply critical in remarks during the day of police treatment of students Tuesday night, urged a boycott of merchants rather than further direct action. Similar recommendations were made by the administration at Claflin. Students met through the day, trying to decide what to do.

The list of student grievances asked (1) closing of the All-Star Bowling Lanes and a change of its policy of segregation before reopening; (2) investigation of police brutality . . . ("The action taken by the SLED officers was uncalled for, especially the beating of the young ladies."); (3) "immediate suspension pending investigation of the officer who fired a shot unnecessarily into the State College campus"; (4) establishment by the mayor of a biracial Orangeburg Human Relations Committee, with the recommendation that each community select its own representatives; (5) that the Orangeburg Medical Association make a public statement of intent to serve all persons on an equal basis regardless of race, religion, or creed; (6) a fair employment commission; (7) a "change /in/ the dogmatic attitude of the office personnel at the Health Department and the segregated practices used there"; (8) "extension of the city limits of Orangeburg so as to benefit more than one segment of the community;" (9) that officials "give constructive leadership toward encouraging the Orangeburg Regional Hospital to accept the Medicare program"; (10) the "elimination of discrimination in public services, especially in doctors' offices"; (11) integration of drive-in theaters; (12) that officials "fulfill all stipulations of the 1964 Civil Rights Act by leading the community so that it will serve all the people."

It was not until Friday that the Times and Democrat reported City Council reaction to the grievances, the story

on the front page beneath photographs of students slain by police gunfire. The City Council's answers, drawn up at a meeting Thursday afternoon before the shooting, were essentially negative, saying either that the city had no authority to do what was requested, as with closing the bowling alley, or that present arrangements were adequate to needs, as with fair employment, or that the council saw no legitimate cause of complaint, as with the allegations of police brutality.

If in its essence the list of grievances might be interpreted as an eloquent plea by the students to the city for law and order, specifically adherence to the 1964 Civil Rights Law and the federal constitution, the events of Wednesday evening (February 7) indicated the degree to which the situation had deteriorated during that day of meetings and indecision, frustration and anger. On Wednesday evening, students from both campuses, mainly males, rampaged for several hours, shouting and moving in large crowds, and (the extent of their violence) throwing rocks at automobiles with white passengers passing the campuses. A 19-year-old State College student, mild and middle-class, evoked the mood of the evening a few days later in telling how he had attended a meeting "over their whipping our girls" ("We said no young man could stand to see ladies beat. There were on hand a group of fellows who had one thing in mind: 'Get Charlie,'") and of how, later, on the yard of the campus, he encountered a mob on the move. "What's up?" he asked.

"We're going to get Charlie," they answered.

"So, I picked up a brick and went with them."

Campus police and later state police moved quickly to avert cars with white passengers from streets leading by the campuses. But cars were hit and the rampage went on for a matter of hours. Two other instances of violence occurred. Three male students from Claflin were wounded by buckshot fired from a dwelling just off the State College campus. There were apparently no arrests in connection with the shooting. The white residents claimed they were defending their property; the students denied trespassing. Word of the shootings, with presumably the usual exaggeration in such an atmosphere, fed the mood of anger and hysteria. So did word of the second incident, the appearance on the State College campus rather amazingly of a car containing whites. A student described the apparition: "Nobody in the car hollered 'Soul' so we began to holler 'Honkey.'" At one point, the driver, ducking down, raced the car toward a crowd of students. The car was hit by a number of rocks and bricks, and damaged considerably. "We stoned it," the student said. "How they ever got out of that was just luck." Two shots were fired from the car while it was on the campus; a student witness said this was after the stoning. The car was stopped by state police about a mile after it left the campus, with no accounting in the local press of the disposition of the case.

At one point, the students on that rambunctious Wednesday

evening were throwing rocks at cars on Watson Street. Some stood in the yard of the State College campus where the next night, Thursday, they gathered again in a similar mood. Meanwhile, units of the National Guard, alerted by Governor Robert E. McNair after Tuesday night's melee, moved into active duty Wednesday night, guarding the shopping center, and state police in larger numbers than the previous night were strongly in evidence. The stage was set for Orangeburg's lethal confrontation of student protest turned to rampage with the full force of South Carolina's measures of riot control.

E V E N T S A T O R A N G E B U R G: II.

THURSDAY NIGHT

On Thursday, February 8, there was a crucial meeting of the students who had met with the mayor on the previous day. Everyone was dissatisfied with the outcome of that meeting. Many were disappointed with a memo from Dr. Nance requesting that students remain on campus, for many still wanted to march. Almost everyone felt something should be done in protest of police action Tuesday night.

At this meeting on Thursday, there occurred a split between the Black Awareness Coordinating Committee (BACC) and other elements of the student leadership. BACC members learned that an agreement to refrain from marching had been reached without consulting them. They felt betrayed and

voiced their disapproval of this change in plans. Moreover, BACC members felt that the students in the NAACP chapter and the other student leaders had compromised their original position.

BACC members reportedly asked participants what was to be done in light of the "betrayal." A high-ranking member of the administration said, "Do what you want to do," and the meeting broke up with no one having decided on a course of action. Most students returned to their dormitories. Between 75 and 130 male students milled around the edge of the campus facing Watson Street and Highway 601. They were frustrated and without leadership. They wanted to do something.

Someone suggested building a bonfire on Watson Street, the street that borders the campus area near Highway 601. Everyone agreed. It was cold. The fire was started and students gathered materials from a dilapidated house adjacent to the campus. The flames licked straight up at the sky. There was no perceivable wind. The fire grew in intensity.

According to one observer, about 50 highway patrolmen along with 45 guardsmen and a number of city police were present. The patrolmen along with a few policemen were closest to the students and the bonfire, while the guardsmen were in the background with their rifles at port arms.

Another observer (a coed from South Carolina State)

told of seeing an undetermined number of students gathered on the embankment above Watson Street as highway patrolmen, city police, and guardsmen drew closer to the bonfire area. Everything was quiet in the area except for the students' sporadic shouts of, "Hey honkey! Hey honkey, here we are. Hey honkey, come on and get us!" The "popping" sounds the coed had heard coming from the Claflin College area had stopped almost a half hour earlier. (Another student interviewed said these may have been shots from a .22 caliber weapon that one of the students was firing in an attempt to break a street light.) Cars and trucks passed on Highway 601 and in some of these, the occupants brandished rifles and shotguns and looked toward the State campus area. There was a tenseness, a foreboding, that made one of the coed's friends say, "Something's gonna happen tonight. Look how all those men [the police forces] are down there [near the Highway 601 and Russell Street intersection]. Something's gonna happen <u>tonight</u>, child!"

The bonfire, which had been fed by the addition of bannisters, shutters, sticks, grass, and a "Yield" sign, began losing its intensity. Then a fire truck appeared, accompanied by an ambulance. The students looked at the police, the fire, and the fire truck and shouted, "Floyd's a bastard! Honkies, get <u>him</u>! Hey, honkey, here we are. Go get Floyd!" From all accounts, the police said nothing and firemen had still not attempted to extinguish the waning fire.

There is some question about whether Molotov cocktails were thrown. One reporter on the scene, Warren Koon, of the Charleston Evening Post, stated that the students threw some into the street. There is no account of any officer's being hit by a Molotov cocktail. Some students in the crowd contend that only torches made of sticks and sheets from their dormitory rooms were thrown. One eyewitness told of a torch or something resembling a flaming roll of toilet tissue on a stick thrown near the house adjacent to the campus. It quickly died out.

At this point, firemen began putting out the dying bonfire. A fireman reportedly yelled that they were being shot at from the campus. Warren Koon described the scene:

> A line of patrolmen trotted, in orderly ranks, to the bank in front of the campus [the bank referred to is a part of the campus], to protect the firemen. They had rifles, pistols, and shotguns at port arms.
>
> Suddenly the line of patrolmen began shooting over the bank toward the mob. It was a crackling gunfire, almost as if an order had been given for all patrolmen to shoot at once.

Persons who were injured or who were on the scene essentially agreed with Koon's account of what happened up to the time of the shooting. There is one exception: Many said a whistle was blown prior to the shooting and just before the gunfire ceased.

The state government maintains that no order to fire was given. According to Governor Robert McNair, the officers

began shooting only after students fired upon them. But no one has been able to find any weapons that the students might have used. No one, including newsmen on the scene, saw any students with guns. And students said they heard no shots immediately preceding the gunfire of the patrolmen.

Another account of what precipitated the gunfire is that Officer D. J. Shealy was felled by a missile thrown by one of the students. Shealy apparently shouted, "I'm hit," or someone else shouted, "He's shot," and the officers, thinking Shealy had been shot, began firing without either warning the students or verifying Shealy's injury. One report had it that Shealy was in an open space between the delapidated house on Watson Street and the thicket which separates the State campus from private residences in the area. If this was the case, it raised the question of why was Shealy that near the crowd of students.

Three students (Samuel Hammond, 18, of Fort Lauderdale, Florida; Henry Smith, 18, of Marion, South Carolina, and Delano Middleton, 18, a high school student of Orangeburg) were killed and at least 28 others were injured during the short, intensive burst of gunfire. One of the injured was Cleveland Sellers. As an indication of the mood of extreme distrust in the Negro community, some of the most responsible adult Negro leaders were in the aftermath of the shootings giving serious consideration to a theory that a deliberate effort was made to shoot Mr. Sellers. They cited as circumstantial evidence similarities in size, clothing, or hair style to those characteristic of Mr. Sellers among the

three fatalities. Mr. Sellers was arrested and charged with arson (a capital offense), breaking and entering, larceny, and assault and battery, and placed under $50,000 bond, later reduced to $20,000.

In the air of shock and tension and on-running anger after the shooting, a report circulated that students had been armed with rifles taken from the ROTC armory. Later, both sides generally agreed that rifles had been taken after the shooting and then returned without being fired. College officials said there were ten .22 calibre rifles in the armory, one inoperable.

Police and student accounts of the shooting and the moments leading up to it were at variance. The police version was that they opened fire in self-defense against gunfire, fire bombs and hurled missiles. The student version was that without warning shots were fired into a defenseless, unarmed crowd, and that persons in the yard were hit while running or hugging the ground for protection. Questions of fact and of national significance beyond Orangeburg were raised. In the aftermath, there were to be calls for further investigation and clarification.

E V E N T S A T O R A N G E B U R G: III.

IN THE AFTERMATH

The Friday, February 9, front page of the Times and Democrat of Orangeburg described the events of Thursday night

with the banner headline: "All Hell Breaks Loose -- Three Killed, Many Wounded In College Nightmare," and with a sub-head: "Officers Blast Rioting Negroes." The Associated Press story of that day said in morning papers that Negroes "opened fire" on the state police, and in afternoon papers that the three Negro students were killed in a "brief exchange of gunfire with police."

Later, an AP photographer whose eyewitness account of the shootings was featured in the stories was quoted by the Los Angeles Times as saying he had been misquoted on Negroes' having opened fire on state police. NBC reports from the scene on national television that Friday forthrightly stated that most eyewitnesses agreed the Negro students had not opened fire on or exchanged gunfire with the state police.

During the day Friday, Governor McNair expressed what came to be a sort of official version of the shooting and the justification thereof. According to AP, "Governor McNair, calling it 'one of the saddest days in the history of South Carolina,' said the deaths and injuries came only after a long period of sniper fire from the campus 'and not until an officer had been felled during his efforts to protect life and property.' The governor said, 'Although the patrolman's injury was caused by some type of thrown missile, there was reason to believe at that instant that he had been shot. The other patrolmen, with instructions to protect themselves and others, responded with gunfire.'"

The same story also quoted the governor as saying: "It has become apparent that the incident last night was sparked by black power advocates who represented only a small minority of the total student bodies at the schools." The story continued: "The governor said the trouble had been caused by Cleveland Sellers, 23 years old, state coordinator for the Student Nonviolent Coordinating Committee." In an interview in the New York Times a week later, the governor was still making these charges, and his official representative in Orangeburg, Henry Lake, was still maintaining that students firing on state police precipitated the killings. Mr. Lake was quoted in the Los Angeles Times as saying: "A fire truck moved in to douse that fire and another one the students started near a warehouse across the street. Policemen moved in to protect the firemen. Some shots were fired from the campus, I don't know whether for harassment or what because the fire truck was not hit. Then students came off the campus throwing rocks, pipes, sticks, and bannisters. One thrown by Sellers . . . hit Officer Shealy in the mouth. Some shots were fired about the same time and anyone seeing it would assume Shealy had been shot. Then a Molotov cocktail was thrown by a dwelling and that just sparked it." (This, Mr. Lake said, was based on police accounts. Student witnesses repeatedly asserted that students had not fired at the state police and that it was not Mr. Sellers who hit Shealy.) All concerned agreed that the National Guard had not fired.

The South Carolina press and apparently its white public for the most part seemed to accept the official interpretation and justification of events at Orangeburg. The national press did little to look behind it, with the already noted exception of NBC's initial coverage, and of such reports as that of Jack Nelson in the Los Angeles Times and Jack Bass in the Charlotte Observer. Mr. Nelson, in a story February 18, reported that "at least 16 of 28" wounded students and at least one of the dead "were struck from the rear," and quoted on-the-scene newsmen as saying that the state police "panicked" when they mistakenly thought one of their number had been shot.

Mr. Bass, in an interpretative story on February 15, seemed to raise a key issue of the police situation. "It was perhaps the first real test of the new riot control strategy devised since the burning of some U. S. cities last summer," he wrote. "The consequences for South Carolina were tragic. If underreaction by civil authorities may encourage rioters, events at Orangeburg indicate that overreaction may escalate a legitimate protest into a riot."

With the initial impression awry of exactly what transpired and with the official stance of white South Carolina, all the way up to the governor's office, adamantly supporting the state police, it was not surprising that national reaction was, if not indifferent, muted. There was no general public outcry for a fuller investigation of the specific incident, or the national implications. Such

demands came either from all-Negro or biracial civil rights organizations. These included the Orangeburg, South Carolina NAACP who sent telegrams to the White House and Justice Department asking that National Guard troops be sent in "from neutral areas outside of South Carolina." The Justice Department declined comment; the White House said it had not received the telegram. Later, 800 Orangeburg Negroes called for removal of the South Carolina National Guard, a measure of their distrust of this arm of white power. Roy Wilkins, executive director of the NAACP, sent a telegram to Governor McNair asking for a "prompt and thorough investigation" of the shootings and disciplining of those responsible. SNCC proposed to protest the "Orangeburg massacre" to the United Nations, and various SNCC leaders spoke of eye for an eye revenge. The South Carolina Council on Human Relations, a biracial organization of 1,350 members (affiliated with the Southern Regional Council) called for a Justice Department investigation, and urged an official state biracial commission, saying emphasis should be placed on righting the wrongs that cause racial unrest rather than on "the state government's capacity for violence."

Investigations were underway in Orangeburg immediately after the shootings by the state police, the United States Justice Department, and the South Carolina Advisory Committee to the U. S. Commission on Civil Rights. There were indications that the latter might subsequently hold a public

hearing. The Justice Department probe, according to press reports, included examination of whether there had been violation of the civil rights of the slain students.

In the meantime, the Justice Department initiated two suits in Orangeburg, one calling for the desegregation of the All-Star Triangle Bowl, Inc., the other seeking desegregation of the Orangeburg Regional Hospital, actions which at least raised the question of why they came so late -- both in the life of the 1964 Civil Rights Act and in the day of Negro hope in Orangeburg.

On Saturday, Governor McNair had under emergency powers declared a nighttime curfew in Orangeburg which remained in effect for more than a week. State troopers, which at their peak numbered 200, and the South Carolina National Guardsmen, who at their peak numbered 600, were still on the scene more than a week later. Students from the two campuses were dismissed Saturday after the shootings, and the colleges were closed for the following two weeks. Ku Klux Klansmen who had planned to hold a rally in Orangeburg on the Sunday after the shootings were dissuaded. A full page John Birch Society advertisement addressed "To the Negroes of America," advising them that the civil rights movement was Communist led, appeared in the Times and Democrat on that Sunday. The Monday paper described "Race Relations Sunday" sermons by local ministers, deploring the violence, urging love. Twenty ministers had on Friday signed a statement endorsing a biracial committee

and urging restraint of passions.

Under the leadership of the NAACP, a boycott by Negroes of all white businesses was announced on the Sunday following the shooting. It was accompanied by an extensive list of demands, including most of those previously made by the students, calling for: restitution by the state to the families of the slain and wounded students; suspension of law enforcement officers "responsible for the police brutality"; inclusion of an equitable number of Negroes in all levels of law enforcement, city, county, and state; establishment of a police-community relations force; desegregation and fair employment at the bowling alley; investigation of alleged discriminatory practices within the Orangeburg penal system, and employment of Negroes in it; investigation of local radio station WDIX for possible violation of FCC regulations in attacks on Negro leaders; establishment of a food stamp program; payment of national minimum wage levels to Negro domestic and other workers; establishment of job training programs; adoption of Medicare at the Orangeburg Regional Hospital; creation of public housing and passage of fair housing laws; appointment of additional Negro registrars; annexation of large areas of Negro residences where citizens have already petitioned for same; integration of the county draft board; elimination of dual public school systems and full and complete integration of schools, faculty, and students; acceptance of public school compulsory attendance laws in the county; placing of Negroes on school boards; "positive and concrete

steps to change the status of South Carolina State College from a state-supported institution of higher learning designed to educate Negro youth to a regular branch of the University System, serving the whole community"; a biracial community relations task force with immediate goals of establishing a fair employment commission, investigation of complaints about discrimination in medical services, specifically in hospital wards, physicians' offices and public health centers; evaluation of coverage of the Negro community in news media, and integration of drive-in theaters.

The combination of the boycott, though not well organized at its outset, and the curfew hurt business, local merchants were quick to acknowledge. Of the complaints, the one regarding status of State College came closest, from all indications, to representing the strongest discontent of students, the real issue for which the bowling alley was a surface outlet for outrage. And the recommendation for a biracial community relations commission had already been acted on. The mayor and city council (which had seemed to reject the notion only the day before, though saying it would welcome further suggestions) began Friday the formation of such a group, reportedly on strong direction of Governor McNair. Almost immediately, the organizational effort became embroiled in factional dispute among Negro leaders, white officials having designated a Negro minister who formerly headed the NAACP to name Negro members, and the current

officials of the NAACP insisting that they should have this prerogative.

Of these matters in the aftermath of tragedy, three -- the issue of quality education, the record of Orangeburg in race relations past and present, and the question of the extent and meaning of black power influence on the two college campuses -- seemed at the center of the events at Orangeburg and their significance for the South and the nation.

E V E N T S AT O R A N G E B U R G: IV.

THE SCHOOL ISSUE

Clearly the most pressing issue in the minds of the students at South Carolina State College was not black power, but the quality of education they were receiving there. Students at State College, like students at other black colleges in the South, had begun to see the disparity between their school and its white counterparts, Clemson, and the University of South Carolina. A corollary of this recognition had been a campus revolt in the spring of 1967.

At that time, the failure of State College to renew the contracts of three white instructors, among other things, had led to a "98 per cent effective" boycott of classes and the subsequent granting of numerous concessions by the administration. Among some of these concessions were the abolition of certain Sunday dress regulations, a halt in compulsory vesper attendance, and the promise that the

students would receive more and better educational facilities and a permanent president to replace the retired Dr. B. C. Turner. The students left school last spring thinking that when they returned in the fall they would at least have a permanent president who could plead their case for more funds from the 1968 General Assembly.

Instead, the students were greeted by an acting president, Dr. Maceo Nance, who did indeed submit a budget calling for more funds to make needed improvements in the physical and academic plants at State College. Dr. Nance submitted, in addition to an early request of $3.3 million, a $5.5 million budget to the General Assembly. The latter amount was to cover costs for maintenance and permanent improvements. The $3.3 million was appropriated but only about $300,000 of the $5.5 million had been granted when the school was closed on Friday, February 9. Many students were angered by this action of the General Assembly and felt that it amounted to a total disregard for the amount requested by Dr. Nance.

The budget breakdown for state-supported schools from 1967 through 1969 was:

	1967-1968 Appropriation	1968-1969 Request
University of S. C.	$10,702,813	$16,518,250
The Citadel	2,604,735	3,193,114
Clemson University (Education & General)	7,320,534	9,793,500
Winthrop College	3,125,809	3,809,582
State Medical College	8,930,318	13,603,006
State College of S. C.	2,588,690	3,298,414

These figures indicate that white or predominantly white schools in South Carolina received $32,684,209 in 1967-68 as compared to $2,588,690 for the only state-supported Negro college. These figures, and the differences included therein, said many students, constitute the major problem: inferior education.

Students cited other disparities between the two systems of higher education. For instance, Clemson's library is worth more than two-thirds of the entire plant at South Carolina State. And the University of South Carolina is now building a stadium in Columbia that is worth more than the entire plant at South Carolina State College.

At the time the bowling alley emerged as a target of nonviolent direct action, the students still rankled over not having the permanent president they had been promised and over the cutbacks in the budgetary requests of Dr. Nance. Harry Floyd's bowling alley was a symbol of segregation and the educational strangulation the students experienced as a result

of it. So, the bowling alley became a catalyst for igniting a revolt that was to involve the entire black population of Orangeburg. The students merely reacted to this overt symbol by waging a campaign of moral rectification against it.

And so news of the killings in Orangeburg cited the bowling alley as the apparent cause of troubles there. But as one ranking member of the State College administration said, "The simple problem at South Carolina State College is money and the students' recognition that they are not getting the type of education that white kids get at Clemson and the University of South Carolina."

EVENTS AT ORANGEBURG: V.

BLACK POWER

The Black Awareness Coordinating Committee (BACC) on the South Carolina State College campus is a black power oriented student organization. First organized in the spring of 1967, the group was described as starting out as nothing more than a kind of "study group." BACC was organized according to the rules governing formation of student organizations at State College and remained a legitimate organ of the student community. In the words of a ranking member of the administration, "My position as a member of the administration did not allow me to discourage the formation of the Black Awareness group. They had as much right to organize as anyone else." Approximately 35 persons

joined initially.

BACC members provoked discussions of contemporary social movements and personalities involved in them. They also invited speakers like George Ware of SNCC and Julian Bond of the Georgia House of Representatives. An instructor at neighboring Claflin College felt that BACC served a very useful and constructive purpose on the college campus. But its appeal was ostensibly not very great; membership fell to around 12 or 13 persons. BACC was small and its ideology was not overly attractive to the largely rural-oriented student body. Up to and including the tragedy of February 8, BACC's membership made no appreciable gains.

Indications were that Mr. Sellers, though popular with BACC, had little influence on the campuses. He was a frequent visitor to the State College campus, but from what was said of him, Cleveland Sellers was not one who possessed charismatic authority on the campus. Students interviewed, from the conservatives to the radicals, said he was respected for his ideas, but did not have a following. Students were emphatic in saying Mr. Sellers was not responsible for student actions on the night of February 8. And each said the confrontation at the bowling alley would have come without black power.

Such opinion needed to be weighed in assessing statements linking black power with the violence. The Orangeburg Times and Democrat's editor, Dean B. Livingston, stated that "Floyd and black power were on a collision course";

perhaps it was merely that Floyd and black Orangeburg were on a collision course. Similarly, the "strength" that State College trustee Wallace C. Bethea was "shocked" by in Orangeburg was rather than black power as an ideology espoused by "15 or 20" followers, the kind of unyielding unity of black people that white Orangeburg had seen before -- in 1955, 1960, and 1963.

Black power was not the issue in Orangeburg.

E V E N T S A T O R A N G E B U R G: VI.

RACE RELATIONS BACKGROUND

The two sets of Negro demands on the city of Orangeburg were a profile of perceived failure in most of the nation's objectives in race relations and against poverty. The statistical profile of Orangeburg and Orangeburg County in rawest census data indicated the extent of need for success rather than failure of national objectives in this one rather typical southern locale. County population by outdated but indicative 1960 census figures was 68,559, with 41,221 or 60.1 per cent Negro, and 13,852 (5,516 or 39.7 per cent Negro) in the city of Orangeburg. (The disparity in proportion of Negroes in the city is one result of a city limits which Negroes termed gerrymandered, running through what seems a continuous urban area, the outside mostly Negro, the inside mostly white.) Between 1950 and 1960, for whatever it says of past race relations

and opportunity, despite a gain in overall population, the county saw a total of 15,429 citizens move away, all but 1,668 of them Negro.

Median family income, according to the 1960 census, was $2,603 in the county, $4,617 in the city. For Negroes the figures were $1,461 and $2,075.

Median school years completed, according to 1960 census data, in the county was 8.2 years, in the city, 11.1 years. But for Negroes (and this in a college community), the medians were 5.7 in the county, 6.5 in the city.

Orangeburg is in rich farm country, is a trading center, and has four sizeable manufacturing plants among industries. The amount of desegregation as required in the various aspects of community life by the 1964 Civil Rights Law was in 1968 in the southern pattern of tokenism; this included six Negro officers on the police force. Negro leaders termed a War on Poverty Community Action Program less than fully effective. Voter registration in the county prior to the 1968 re-registration was 48.8 per cent of potential Negroes, 99.0 per cent of potential whites.

A perhaps unusual degree of right wing influence has been at work in the city and county for some time. Besides the Klan, local residents said there exists a Wallace-for-President headquarters, a strong Citizens' Council organization, strong John Birch Society organizations, a Carl McIntire organization, and the home base of a state association of private schools.

Desegregation disputes of sizeable dimensions began as early as 1955 when 57 Negroes petitioned for public school integration. A white Citizens' Council was formed and began a campaign of economic intimidation against the 57, soon reducing their number to a hard core of 26 who would not budge. Negro leaders countered with a boycott of white merchants involved in the economic intimidation. A fund of $50,000 was raised around the country to provide small loans to victims of the Citizens' Council intimidation. By the spring of 1956, both sides were willing to compromise on the economic impasse, but there was small success with integration. Indeed, the city -- which until then even as in 1968 after the campus slayings held in its white public opinion a belief that race relations were excellent -- suffered a setback in these relations typified in a refusal during 1955 of white ministers to meet with Negro ministers merely to discuss the problems.

In 1960, Orangeburg was among the first southern cities to experience sit-in demonstrations by Negro college students seeking service at lunch counters. Official white resistance was notably fierce; police used fire hoses and tear gas against the demonstrators, arrested some 338 students, and incarcerated them in an outdoor compound.

In 1963, massive marches by much of the adult and student Negro population protesting segregated public facilities again resulted in numerous arrests, rough

police tactics, and little desegregation until the 1964 Civil Rights Law got merchants "off the hook," as one citizen put it. A full-page story in the National Observer of December 23, 1963, by George McMillan included a quotation with obvious portent for 1968 from a young man who was then a student at South Carolina State College: "Sometimes I think the only places where anything has been accomplished is where there has been some rioting . . . Then I thought how would you feel if somebody got killed, maybe somebody's daughter. But I'll say this: The white man has forced his religion on the Negro, the religion that has taught the Negro to turn the other cheek. Now the Negro has only one cheek left. He doesn't have another one to turn."

The bowling alley in Orangeburg slipped by efforts to secure compliance with the 1964 Civil Rights Law. As one leader explained it, those who had marched were mainly people who couldn't afford to bowl. It was decided to leave the problem up to bowling enthusiasts among the Negro population who had to drive the 50 miles to Columbia for their sport. Complaints about the bowling alley to the U. S. Commission on Civil Rights which were forwarded to the Justice Department date back to 1965, and various unsuccessful local efforts -- including pleas by other white merchants -- were made to persuade the owner to change his policy.

Establishment of a biracial committee was urged in

various quarters during the 1963 impasse (which also included an economic boycott by Negroes), but met with no success. A white citizen who was involved in an effort to establish one then told of almost solid public opinion against it. By contrast, he said, when news of the 1968 attempt to form one was made known, congratulatory calls came from all over town. "Before," he said, "you could walk the streets up and down and not find two to support you." An unofficial committee with three white members and a representative group of Negro leaders met from October, 1966, to January, 1967, and then just gave up out of failure to attract other white members, and adamant refusal of the mayor to grant it official status. Even in the aftermath of the events of the week of February 5-10, Mayor Pendarvis, admitting there were problems, was saying, "I would put our race relations up against any in the world for a town this size and proportion of races." Governor McNair, generally considered a racial moderate and supported heavily by Negro votes, included in most of his statements about the events at Orangeburg praise for the state's good race relations, and lament over Orangeburg's being the first notable outbreak of racial violence in recent South Carolina history. Behind such statements lay a disparity in what white and what Negro citizens perceived as good race relations. This was expressed by an Orangeburg Negro leader who recalled the official attitude when Clemson University was desegregated.

"They said they didn't want that Negro student, but if they had to take him, they would do it without violence. Not being wanted -- that hurts worse than any violence."

Whatever hope there was of a real turn in Orangeburg race relations in the aftermath of the campus slayings centered on whether the biracial committee would effectively represent Negro interests, and whether the city would honestly deal with problems. At the outset, there were no provisions for student membership, let alone representation of the black consciousness element. A measure of hope might be seen in the enthusiasm of some white citizens at least for a new try. But the gap, as in so much of the South, seemed frighteningly wide between what whites conceived of as "being good" to the Negroes, and what Negroes, in expectation of full citizenship and dignity of treatment, were demanding. And patience and faith of Negroes was sorely strained. The student rampage, the withdrawal aspects of the scant black consciousness movement on the campus, were only the most raw of manifestations of this general despair among all classes of Negroes. A student leader may have expressed the mood that would continue to influence the future in Orangeburg, the South, and the nation when he said slowly, "I don't believe in violence. But I don't blame Negroes for becoming involved in extremism, since there is extremism on the other side."

EVENTS AT ORANGEBURG: VII. REFLECTIONS AND CONCLUSIONS

Investigations that were underway by federal and state authorities would, one assumed, eventually resolve conflicts in interpretation and fact about the events at Orangeburg. It was of national importance that full findings of such investigations might somehow be made public. A thorough hearing by the state Advisory Committee to the United States Commission on Civil Rights seemed eminently desirable. For the events at Orangeburg had significance for all Americans, Negroes across the land already wary and bitter and fearful and angry by varying degrees, whites alarmed over black power and riots. Some of the significance is suggested in the following points:

1. Police Action. Some assessment needs to be made of whether the killing and wounding of students by gunfire might have been averted. Why were not less lethal methods of riot control such as tear gas or MACE (a stronger irritant) employed? Why were there not warnings by shots overhead or by bullhorn? If, as official versions seem to have it, officers were under campus sniper fire for a period of hours and were in a state of tension where a hurled missile made them think they were being attacked by gunfire, why had not members of the administration been asked to clear the campus and break up crowds?

Beyond these immediate questions, broader ones emerge. In South Carolina, public policy not unlike that being

enunciated by most other American states and indeed by the federal government had been stated by Governor McNair (among southern governors a generally progressive and moderate chief of state) on June 15, 1967. In an address to the South Carolina Law Officers Association, he said:

> Today we are faced with the so-called advocates of nonviolence who leave a trail of violence [our emphasis] wherever they go. Throughout our nation there are groups and increasing numbers of individuals who would take the law into their own hands . . . but should it come [to South Carolina], let me assure you that the full weight and authority of the state is behind you as keepers of the peace and enforcers of the law.

Such "get-tough" policies, wherever put into effect, carry into highly volatile situations new elements of danger. Order must be maintained, but the duty of society and of police is that it be so with a minimum of force. At least suggested in Orangeburg and evident in other situations that have arisen in the South and in other parts of the nation is the frightening spectacle of an over-escalation of police and military force (the question has been raised of whether alerting of the National Guard on Tuesday night was necessary), a pouring of large numbers of heavily armed men into tense situations, increasing the emotionalism of race involved, increasing a dependence on force to suppress people rather than honestly deal with the social problems at the

source of their disorder or violence, and a conditioning of the American public already far along to an acceptance of violence and death in the resolution of problems. In the South, where state police have records of violence against Negroes through history, and where in the recent past such police have been instruments of segregationist policy, there is considerable cause for concern and caution regarding "get-tough" policies. This is a concern for riot control; a breakdown in respect and trust for law enforcement officers is at a crisis point among Negroes and protesting whites in the South and nation.

2. Law Enforcement. Order must be maintained; law must be enforced. In the South, a terrible tradition of defiance of federal law regarding desegregation, centering at the top of state governments and permeating much of white society, has only recently somewhat abated. In Orangeburg, Negroes on Tuesday night were confronted by the spectacle of policemen seeming to guard an establishment whose adherence to the 1964 Civil Rights Law was at best questionable. Allegations of other violations of this law within the city and county were parts of Negro grievance lists, and of the two federal court suits filed after the shootings. Failure of the federal government across the South to enforce civil rights laws, laggardness in filing the necessary suits has been an increasing cause of Negro anger. And failure of the poverty program to reach the root causes of an even more explosive anger extends across the nation. Rioting and

black racism are not rational responses to these failures, but the nation must correct the failures if it is to expect rationality from citizens.

3. Black Power. It is possible to suggest that the events at Orangeburg, with their fatal consequence, converted more Negroes in that city and across the nation to the kind of violent anger that white hysteria over black power envisions than Cleveland Sellers or all the advocates of black power might ever achieve. The findings of this report were that few students on the two campuses were attracted to the black-consciousness movement there. The findings of this report were also that protest over the bowling alley began in traditional nonviolent fashion. Indeed the events in Orangeburg contain in microcosm the history of this decade in civil rights: A nonviolent protest was met with police resistance and ensuing violence, all of the violence to persons by police. The response to this was violence against property and a state of near-riot by Negroes which in turn prompted heavier violence from police. It seems worth noting that the record of violent resistance to Negro rights in the South spawned the black power movement and turned the very organizations and individuals who did most during direct action days to maintain nonviolence among volatile crowds of untrained student demonstrators into agencies and people whose current enunciated beliefs encourage violence. Meanwhile hysteria over black power, a failure of white America to see its

positive values and an inclination to over-react to its negative ones, was evident in the events of Orangeburg, from the readiness of whites up to the highest levels of government to believe the worst about intentions of the protesting students, to the possible lessening of effectiveness of adult Negro leadership, a standing-off attitude, out of fear of being tarnished with the black power brush. In such hysteria, the real causes of conflict, the real issues of discontent are lost.

4. Student Revolt. A distinction needs to be made between campus protest, campus rioting, and urban ghetto rioting, if only in the superficial sense that students are able to enunciate their grievances better for middle-class white understanding than poor and hopeless ghetto dwellers. The findings of this report are that students in Orangeburg were acting on a legitimate grievance against the bowling alley, were enunciating other legitimate grievances of the larger Negro population (later amplified by the adults of the NAACP), and, most of all, were expressing their resentment of palpably inequitable educational opportunity. Such inequity begins in most southern locales in predominantly Negro kindergartens and comes to its sad climax in many of the predominantly Negro colleges. Such failure to provide equal education is not restricted to the South. But it is notable that the most of the violence approaching riot proportions that has occurred in the South (and this has not been a great deal) has occurred at colleges -- in

Jackson, Mississippi; Nashville, Tennessee; Houston, Texas; Baton Rouge, Louisiana; and Alcorn, Mississippi. Demonstrations protesting the shooting in Orangeburg spread across southern campuses; rock-throwing and window-smashing erupted at one -- in Durham, North Carolina. The nation would be as tragically deceived as in ghetto rioting if it viewed Negro student protest only as a police problem in riot control. However unruly in the past or in what seems likely a continuation of them, these protests go to the center of the nation's racial problem -- deprivation of opportunity. They also suggest a hope not always evident in the equally eloquent anguish expressed in ghetto riots; the students are demanding equal opportunity to participate in the American system. The presidents of the five colleges that compose Atlanta University, among the most prestigious Negro institutions of higher learning in the nation, addressed themselves to another aspect of the campus situation in the aftermath of Orangeburg. In an open letter to President Johnson, they declared:

> The invasion of college campuses by various police powers in the United States is a trend which can no longer be continued without public protest by responsible educators and other persons interested in preserving the freedom of institutions of higher learning in our country.
>
> Here in America we seem to have adopted a "get tough" national policy based on the use

of armored and armed police and guardsmen in killing American citizens at the slightest provocation.

The frustrations of our society which stem from the perplexities of our present involvement in Vietnam coupled with the complexities involved in solving the dual problems of race and ghetto have led many officials to believe that a resort to naked police power and brutality is the proper avenue for handling major social problems.

That was the avenue taken by Nazi Germany and other police power states. This has not been the way of modern America.

A few days after the tragic events of Thursday night at Orangeburg, Dr. Benjamin F. Payton, who is from Orangeburg, the president of Benedict College in Columbia, a private Negro institution, happened to be the first Negro ever to address a white civic club in Columbia. During the course of his remarks to the Kiwanis Club there, he said: "Was it necessary that three people be killed because one hundred of them threw bricks? I have difficulty conceiving in my imagination of the highway patrolmen firing point-blank at students at the [predominantly white] University of South Carolina and Clemson on doing the same thing."

At a small church on the outskirts of town, plowed fields alongside it and across the highway, funeral services were held for Delano Middleton. There was no official representation from white Orangeburg. As his family (his

mother a maid at State College where he had hoped to be a student) and a large crowd of Negro citizens of all ages wept (his father crying out, "He never bothered nobody . . . ."), the funeral's ritual of death's meaning and the special ache of death of the young brought the sober and somber reality of the events at Orangeburg home. America somehow needed to find the way to nurture the hope of all its youth, not killing nor allowing hope to die.

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